

Amendment No. 1 to SB1622

Bell
Signature of Sponsor

AMEND Senate Bill No. 1622

House Bill No. 1611*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-7-118(a)(1), is amended by deleting the subdivision and substituting instead the following:

(1) "Citation" means an order prepared as a written or electronic citation and issued by a peace officer on paper or on an electronic data device requiring a person accused of violating the law to appear in a designated court or government office at a specified date and time. The signature of the person to whom the order is issued is required, and the order must be filed, electronically or otherwise, with a court having jurisdiction over the alleged offense;

SECTION 2. Tennessee Code Annotated, Section 40-7-118(e), is amended by deleting the subsection and substituting instead the following:

(1) In issuing a citation, the officer shall:

(A) Prepare a citation that includes the name and address of the cited person, the offense charged, and the time and place of appearance;

(B) Have the offender sign the citation. The officer shall deliver one (1) copy to the offender and retain the other; and

(C) Release the cited person from custody.

(2)

(A) An electronic signature may be used to sign a citation issued electronically and has the same force and effect as a written signature.

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(B) Whenever a citation is issued electronically, the officer shall provide the cited person with a paper copy of the citation.

(C) Replicas of citation data sent by electronic transmission must be sent within three (3) days of the issuance of the citation to the court having jurisdiction over the alleged offense.

SECTION 3. Tennessee Code Annotated, Section 55-10-207(c)(1), is amended by deleting the language "The traffic citation delivered to the court shall be sworn to by the issuing officer before a magistrate or official lawfully assigned this duty by a magistrate." and is further amended by adding the following language at the end of the subdivision:

An electronic signature may be used to sign a citation issued electronically and has the same force and effect as a written signature.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.